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JAN 27 1998

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

Federal Communications Commission  
Office of Secretary

In the Matter of

Procedures for Reviewing Requests for  
Relief From State and Local Regulations  
Pursuant to Section 332(c)(7)(B)(v) of the  
Communications Act of 1934

WT Docket No. 97-192

ERRATUM

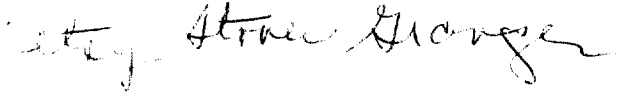
Southwestern Bell Mobile Systems, Inc., Southwestern Bell Wireless, Inc.,  
and Pacific Bell Mobile Services (collectively referred to as "SBMS") hereby files this  
erratum to its Comments filed on October 9, 1997 in the above-captioned proceeding. In  
the next to last sentence on page 8 the word "federal" should be inserted prior to the  
words "court system." SBMS is serving all parties to this proceeding with a copy of this  
erratum.

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SBMS respectfully requires that the corrected page 8, attached hereto,  
replace page 8 in SBMS's Comments.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol L. Tacker".

Carol L. Tacker  
Vice President, General Counsel & Secretary for  
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January 27, 1998

Persons adversely affected should be limited to personal wireless service providers. The statute provides that any person adversely affected by an act or failure by a state or local government with respect to the placement of personal wireless facilities may petition the Commission for relief, if the action or failure to act was based on the environmental effects of RF emissions and the facilities comply with RF emission guidelines.<sup>1</sup> The only persons that fall within the confines of this rule are personal wireless providers. If the Commission fails to define persons adversely affected in this manner, it will encourage private citizens and community groups to petition the Commission with respect to zoning decisions related to RF emission issues. This was not the intent of the statute. On its face the statute was intended to ensure that state and local governments cannot regulate the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of RF emissions to the extent that the facilities comply with the Commission's regulations concerning such emissions.<sup>2</sup> Private citizens and community groups have ample opportunity to voice their views on siting issues before local and state governments and to seek redress through the federal court system if need be. They should not be permitted to petition the Commission under Section 332(c)(7)(B)(v).

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<sup>1</sup> 47 US Code §332(c)(7)(B)(iv).

<sup>2</sup> Id.

## **CERTIFICATE OF SERVICE**

I, Una Curran, do hereby certify that a copy of the foregoing ERRATUM was mailed this 27<sup>th</sup> day of January, 1998, via first class United States mail, postage prepaid to the parties on the attached list.

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Una Curran

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